

1 Douglas A. Crowder (SB # 140130)
2 Crowder Law Center, P.C.
3 303 N. Glenoaks Blvd., Suite 200
4 Burbank, CA 91502
5 Tel. 213-509-1515
6 Fax 877-772-7094
dcrowder@crowderlaw.com

7
8
9 Attorney for Defendants,
10 WILLIAM WALTER WRIGHT, et al

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re:

Case No. 2:21-bk-16403-VZ

SPECTRUM LINK, INC.,

Chapter 7

Debtor.

Adversary No.: 2:23-ap-01165-VZ

HOWARD M. EHRENBERG, Chapter 7
Trustee,

AMENDED ANSWER TO PLAINTIFF'S
COMPLAINT

Plaintiff,

(No Hearing Required)

vs.

WILLIAM WALTER WRIGHT, an individual,
AMY BARRIOS-WRIGHT, an individual, AWB
CONSULTING LLC, a California limited liability
company, ENUMAH GROUP, LLC, a California
limited liability company, NEW BEGINNINGS
APOSTOLIC COMMUNITY CHURCH, INC., a
California corporation, SLOANE STREET, LLC,
a Delaware limited liability company, and OLD
WORLD ANTIQUITIES LLC, a California
limited liability company,

Defendants,

1 Defendants amend their Answer to Plaintiff's complaint as follows:

2 Defendants adopt and incorporate by reference herein their previous Answer filed
3 herein on 7/19/2023 as Docket No. 25, (a copy of which is attached hereto as Exhibit 1), with
4 the following revisions.

5 1. Affirmative Defenses numbered 2, 3, 6, 7, 8, 9, 10 and 13 are withdrawn.

6 2. Affirmative Defense number 4 is amended to read as follows:

7 **FOURTH AFFIRMATIVE DEFENSE (Statute of Limitations).**

8 Plaintiff's 6th Cause of Action is barred by the 4 year statute of limitation under
9 California Code of Civil Procedure Sec. 337, and/or California Civil Code Sec.
3439.09.

10 3. Affirmative Defense Number 5 is amended to read as follows:

11 **FIFTH AFFIRMATIVE DEFENSE (Laches).**

12 Plaintiff failed to take legal action for an unreasonably long time, causing
13 disadvantages to Defendants in defending the claims.

14 Dated: 10/6/2023

Crowder Law Center, P.C

15 By: /s/ Douglas A. Crowder
16 Douglas A. Crowder
17 Attorney for Defendants

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
303 N. Glenoaks Blvd., Suite 200, Burbank, CA 91502

A true and correct copy of the foregoing document entitled (*specify*): AMENDED ANSWER

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 10/6/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Douglas A Crowder** dcrowder@crowderlaw.com
- **Howard M Ehrenberg (TR)** ehrenbergtrustee@gmlaw.com, ca25@ecfcbis.com;C123@ecfcbis.com;howard.ehrenberg@ecf.courtdrive.com;Karen.Files@gmlaw.com
- **Mark S Horoupiant** mark.horoupiant@gmlaw.com, mhoroupiant@ecf.courtdrive.com;cheryl.caldwell@gmlaw.com;karen.files@gmlaw.com
- **United States Trustee (LA)** ustpregion16.la.ecf@usdoj.gov
- **Steven Werth** steven.werth@gmlaw.com, swerth@ecf.courtdrive.com;pdillamar@ecf.courtdrive.com,Karen.Files@gmlaw.com;patricia.dillamar@gmlaw.com

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/6/2023

Douglas A. Crowder
Printed Name

/s/ Douglas A. Crowder
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

Exhibit 1

Exhibit 1

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 1 of 17

1 Christopher Ellison (CA Bar No. 248545)
2 cellison@eaalawfirm.com
3 ELLISON & ASSOCIATES
4 6242 Westchester Pkwy, Suite 240
5 Los Angeles, CA 90045
6 Phone: (310) 882-6239
7 Facsimile: (310) 882-6237

8 Attorneys for Defendants

9 **UNITED STATES BANKRUPTCY COURT**

10 **CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION**

11 In re: Case No.: 2:21-bk-16403-VZ
12 SPECTRUM LINK, INC., Chapter 7
13 Debtor. Adversary No.: 2:23-ap-01165-VZ

14 HOWARD M. EHRENBERG, Chapter 7
15 Trustee,

16 Plaintiff,

17 vs.

18 WILLIAM WALTER WRIGHT, an individual,
19 AMY BARROWS-WRIGHT, aka AMY
20 BARRIOS-WRIGHT, an individual, AWB
CONSULTING LLC, a California limited
liability company, ENUMAH GROUP, LLC, a
California limited liability company, NEW
BEGINNINGS APOSTOLIC COMMUNITY
CHURCH, INC., a California corporation,
SLOANE STREET, LLC, a Delaware limited
liability company, and OLD WORLD
ANTIQUITIES LLC, a California limited
liability company,

21 Defendants.

22 **DEFENDANTS' ANSWER TO
23 PLAINTIFF'S COMPLAINT**

24 ASSIGNED FOR ALL PURPOSES TO
25 JUDGE VINCENT ZURZOLO

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 2 of 17

1 Defendants WILLIAM WALTER WRIGHT, AMY BARROWS-WRIGHT, AWB
2 CONSULTING LLC, ENUMAH GROUP, LLC, NEW BEGINNINGS APOSTOLIC
3 COMMUNITY CHURCH, INC., SLOANE STREET, LLC, and OLD WORLD ANTIQUITIES
4 LLC (“Defendants”), through its undersigned counsel, answers the Complaint (“the Complaint”)
5 filed by Plaintiff and Chapter 7 Trustee HOWARD M. EHRENBERG (“Plaintiff”). Defendants
6 deny all allegations in the Complaint not specifically admitted in this Answer.
7

8 **INTRODUCTION**

9 1. Answering Paragraph 1, Defendants assert that this Paragraph contains legal
10 conclusions, and does not contain factual allegations that require a response. To the extent a
11 response is required, Defendants deny each and every allegation contained therein.
12

13 2. Answering Paragraph 2, Defendants assert that this Paragraph contains legal
14 conclusions, and does not contain factual allegations that require a response. To the extent a
15 response is required, Defendants deny each and every allegation contained therein.
16

17 3. Answering Paragraph 3, Defendants assert that this Paragraph contains legal
18 conclusions, and does not contain factual allegations that require a response. To the extent a
19 response is required, Defendants deny each and every allegation contained therein.
20

21 4. Answering Paragraph 4, Defendants assert that this Paragraph contains legal
22 conclusions, and does not contain factual allegations that require a response. To the extent a
23 response is required, Defendants deny each and every allegation contained therein.
24

25 5. Answering Paragraph 5, Defendants assert that this Paragraph contains legal
26 conclusions, and does not contain factual allegations that require a response. To the extent a
27 response is required, Defendants deny each and every allegation contained therein.
28

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 3 of 17

1 **JURISDICTION AND VENUE**

2 6. Answering Paragraph 6, Defendants admit that Plaintiff purports to bring an
3 adversary proceeding, pursuant to Federal Rule of Bankruptcy Procedure.

4 7. Answering Paragraph 7, Defendants deny this court has subject matter jurisdiction
5 over this action. To the extent a further response is required, Defendants deny any remaining
6 factual allegations contained in Paragraph 7 of the Complaint.

7 8. Answering Paragraph 8, Defendants deny this court has jurisdiction to hear and
9 determine this proceeding and to enter an appropriate order and judgement. To the extent a
10 further response is required, Defendants deny any remaining factual allegations contained in
11 Paragraph 7 of the Complaint.

12 9. Answering Paragraph 9, Defendants deny this court is the proper venue for this
13 action. To the extent a further response is required, Defendants deny any remaining factual
14 allegations contained in Paragraph 7 of the Complaint.

16 **PARTIES**

17 10. Answering Paragraph 10, Defendants assert that this Paragraph contains legal
18 conclusions, and does not contain factual allegations that require a response. To the extent a
19 response is required, Defendants deny each and every allegation contained therein.

20 11. Answering Paragraph 11, Defendants admit William Wright resides at 22529
21 North Summit Ridge Circle, Chatsworth, California 91311-2673 and has opened various
22 accounts at Wells Fargo. Defendants deny any remaining factual allegations in Paragraph 11 of
23 the complaint.

25 12. Answering Paragraph 12, Defendants lacks sufficient knowledge to information to
26 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 4 of 17

1 13. Answering Paragraph 13, Defendants admit that Amy Wright is married to Mr
2 Wright. Defendants lacks sufficient knowledge to information to form a belief as to the truth of
3 the rest of the allegations contained in Paragraph 13 of the complaint and denies the allegations
4 therein on that basis.

5 14. Answering Paragraph 14, Defendants admit that AWB Consulting LLC, is a
6 California limited liability company. Defendants lacks sufficient knowledge to information to
7 form a belief as to the truth of the rest of the allegations contained in Paragraph 14 of the
8 complaint and denies the allegations therein on that basis.

10 15. Answering Paragraph 15, Defendants admit that Enumah Group LLC, is a
11 California limited liability company. Defendants lacks sufficient knowledge of information to
12 form a belief as to the truth of the rest of the allegations contained in Paragraph 15 of the
13 complaint and denies the allegations therein on that basis.

15 16. Answering Paragraph 16, Defendants admit that New Apostolic Community
16 Church, Inc., is a California nonprofit religious corporation. Defendants lacks sufficient
17 knowledge of information to form a belief as to the truth of the rest of the allegations contained
18 in Paragraph 16 of the complaint and denies the allegations therein on that basis.

19 17. Answering Paragraph 17, Defendants admit that Sloane Street LLC, is a limited
20 liability company. Defendants lacks sufficient knowledge of information to form a belief as to
21 the truth of the rest of the allegations contained in Paragraph 17 of the complaint and denies the
22 allegations therein on that basis.

24 18. Answering Paragraph 18, Defendants admit that Old World Antiquities LLC, is a
25 California limited liability company. Defendants lacks sufficient knowledge of information to
26 form a belief as to the truth of the rest of the allegations contained in Paragraph 14 of the
27 complaint and denies the allegations therein on that basis.

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 5 of 17

1 **GENERAL ALLEGATIONS**

2 **I. Debtor's Operations**

3 19. Answering Paragraph 19, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 20. Answering Paragraph 20, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 21. Answering Paragraph 21, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9 22. Answering Paragraph 22, Defendants lacks sufficient knowledge to information to
10 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

11 23. Answering Paragraph 23, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 24. Answering Paragraph 24, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 25. Answering Paragraph 25, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 26. Answering Paragraph 26, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 27. Answering Paragraph 27, Defendants lacks sufficient knowledge to information to
20 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21 **II. The Fraud**

22 28. Answering Paragraph 28, Defendants lacks sufficient knowledge to information to
23 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 6 of 17

1 29. Answering Paragraph 29, Defendants lacks sufficient knowledge to information to
2 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

3 30. Answering Paragraph 30, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 31. Answering Paragraph 31, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 32. Answering Paragraph 32, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9 33. Answering Paragraph 33, Defendants lacks sufficient knowledge to information to
10 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

11 34. Answering Paragraph 34, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 35. Answering Paragraph 35, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 36. Answering Paragraph 36, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 37. Answering Paragraph 37, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 38. Answering Paragraph 38, Defendants lacks sufficient knowledge to information to
20 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21 39. Answering Paragraph 39, Defendants lacks sufficient knowledge to information to
22 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

23 40. Answering Paragraph 40, Defendants lacks sufficient knowledge to information to
24 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 7 of 17

1 41. Answering Paragraph 41, Defendants lacks sufficient knowledge to information to
2 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

3 42. Answering Paragraph 42, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 43. Answering Paragraph 43, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 44. Answering Paragraph 44, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9 45. Answering Paragraph 45, Defendants lacks sufficient knowledge to information to
10 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

11 46. Answering Paragraph 46, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 47. Answering Paragraph 47, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 48. Answering Paragraph 48, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 49. Answering Paragraph 49, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 50. Answering Paragraph 50, Defendants lacks sufficient knowledge to information to
20 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21 51. Answering Paragraph 51, Defendants lacks sufficient knowledge to information to
22 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

23 52. Answering Paragraph 52, Defendants lacks sufficient knowledge to information to
24 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 8 of 17

1 53. Answering Paragraph 53, Defendants lacks sufficient knowledge to information to
2 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

3 54. Answering Paragraph 54, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 55. Answering Paragraph 55, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 56. Answering Paragraph 56, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9 57. Answering Paragraph 57, Defendants lacks sufficient knowledge to information to
10 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

11 58. Answering Paragraph 58, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 59. Answering Paragraph 59, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 60. Answering Paragraph 60, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 61. Answering Paragraph 61, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 62. Answering Paragraph 62, Defendants lacks sufficient knowledge to information to
20 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21 63. Answering Paragraph 63, Defendants lacks sufficient knowledge to information to
22 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

23 64. Answering Paragraph 64, Defendants lacks sufficient knowledge to information to
24 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

65. Answering Paragraph 65, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

66. Answering Paragraph 66, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

67. Answering Paragraph 67, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

68. Answering Paragraph 68, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

III. Trustee's Investigation

69. Answering Paragraph 69, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

70. Answering Paragraph 70, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

71. Answering Paragraph 71, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

72. Answering Paragraph 72, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

73. Answering Paragraph 73, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

IV. Transfers

74. Answering Paragraph 74, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

75. Answering Paragraph 75, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 10 of 17

76. Answering Paragraph 76, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

77. Answering Paragraph 77, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

78. Answering Paragraph 78, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

79. Answering Paragraph 79, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

80. Answering Paragraph 80, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

81. Answering Paragraph 81, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

82. Answering Paragraph 82, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

83. Answering Paragraph 83, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

84. Answering Paragraph 84, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

V Badges of Fraud Related to The Four-Year Transfers

85. Answering Paragraph 85, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

FIRST CLAIM FOR RELIEF

**(Avoidance and Recovery Of Four-Year Transfers As Intentionally Fraudulent
Transfers Pursuant To 11 U.S.C. § 544(b) And 550(a) And Cal. Civil Code §
3439.04(a)(1) and 3439.07)**

86. Defendants reallege and incorporate by reference, as if fully set forth again herein, the responses contained in the preceding paragraphs.

87. Defendants deny all allegations set forth in Paragraph 87.

88. Defendants deny all allegations set forth in Paragraph 88.

89. Defendants deny all allegations set forth in Paragraph 89.

SECOND CLAIM FOR RELIEF

(Avoidance and Recovery Of Four-Year Transfers As Constructively Fraudulent Transfers Pursuant To 11 U.S.C. § 544(b) And 550(a) And Cal. Civil Code§ 3439.04(a)(2)) and § 3439.05 and California Civil Code§ 3439.07)

90. Defendants reallege and incorporate by reference, as if fully set forth again herein, the responses contained in the preceding paragraphs.

91. Defendants deny all allegations set forth in Paragraph 91.

92. Defendants deny all allegations set forth in Paragraph 92.

93. Defendants deny all allegations set forth in Paragraph 93.

THIRD CLAIM FOR RELIEF

**(Avoidance and Recovery Of Two-Year Transfers As Intentionally Fraudulent Transfers
Pursuant To 11 U.S.C. §§ 548(a)(1)(A) and 550(a))**

94. Defendants reallege and incorporate by reference, as if fully set forth again herein, the responses contained in the preceding paragraphs.

95. Defendants deny all allegations set forth in Paragraph 95.

96. Defendants deny all allegations set forth in Paragraph 96.

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 12 of 17

1 97. Defendants deny all allegations set forth in Paragraph 97.

2 98. Defendants deny all allegations set forth in Paragraph 98.

3 **FOURTH CLAIM FOR RELIEF**

4 **(Avoidance and Recovery Of Two-Year Transfers As Constructively Fraudulent Transfers**

5 **Pursuant To 11 U.S.C. §§ 548(a)(1)(B) and 550(a))**

6 99. Defendants reallege and incorporate by reference, as if fully set forth again herein,
7 the responses contained in the preceding paragraphs.

8 100. Defendants deny all allegations set forth in Paragraph 100.

9 101. Defendants deny all allegations set forth in Paragraph 101.

10 102. Defendants deny all allegations set forth in Paragraph 102.

11 **FIFTH CLAIM FOR RELIEF**

12 **(Recovery Of Transfers Or The Value Thereof Pursuant To 11 U.S.C. § 550)**

13 103. Defendants reallege and incorporate by reference, as if fully set forth again herein,
14 the responses contained in the preceding paragraphs.

15 104. Defendants deny all allegations set forth in Paragraph 104.

16 105. Defendants deny all allegations set forth in Paragraph 105.

17 106. Defendants deny all allegations set forth in Paragraph 106.

18 **SIXTH CLAIM FOR RELIEF**

19 **(Account Stated)**

20 107. Defendants reallege and incorporate by reference, as if fully set forth again herein,
21 the responses contained in the preceding paragraphs.

22 108. Defendants deny all allegations set forth in Paragraph 108.

23 109. Defendants deny all allegations set forth in Paragraph 109.

24 110. Defendants deny all allegations set forth in Paragraph 110.

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 13 of 17

PRAAYER FOR RELIEF

In response to Plaintiff's "Prayer for Relief" in the Complaint, Defendants deny that Plaintiff is entitled to any type of relief, including but not limited to a declaratory judgment, costs, attorneys' fees, liquidated damages, post-judgment damages, restitution, penalties, compensatory damages or any other relief available by law.

AFFIRMATIVE DEFENSES

Defendants assert the following affirmative and other defenses, which it has designated collectively as "Defenses". Defendants have not yet completed a thorough investigation or completed discovery of all facts and circumstances of the subject matter of the Complaint, and accordingly, reserves the right to amend, modify, revise, or supplement its Answer, and to plead such further defenses and take such further actions as they may deem proper and necessary in their defense upon the completion of said investigation and study. Without waiving or excusing Plaintiff's burden of proof or admitting that the Defendants have any burden of proof whatsoever, Defendants assert the following separate and distinct defenses and affirmative defenses.

FIRST DEFENSE

(Failure to State a Claim)

1. Plaintiff fails to state a claim upon which relief can be granted for each and every cause of action set forth in the Complaint.

SECOND DEFENSE

(Due Process)

2. Prosecuting this action, as applied to the facts and circumstances of this case, would constitute a denial of Defendants' due process rights, both substantive and procedural, in

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 14 of 17

1 violation of the California Constitution and the Fourteenth Amendment to the United States
2 Constitution.

3 **THIRD DEFENSE**

4 (Lack of Standing)

5 3. Plaintiff lacks standing to pursue injunctive or declaratory relief against
6 Defendants, who are not debtors and/or creditors in the underlying bankruptcy action.

7 **FOURTH DEFENSE**

8 (Statute of Limitations)

9 4. Each and every cause of action is barred, in whole or in part, by the applicable
10 statute of limitations.

11 **FIFTH DEFENSE**

12 (Equitable Defenses)

13 5. Each and every cause of action is barred, in whole or in part, by the doctrines of
14 laches, estoppel, waiver, release, and/or unclean hands.

15 **SIXTH DEFENSE**

16 (Exhaustion)

17 6. Plaintiff failed to properly exhaust all of the applicable contractual, administrative
18 and/or statutorily required remedies prior to filing this action, and that such failure bars the suit
19 in whole or in part.

20 **SEVENTH DEFENSE**

21 (Damages of Loss Proximately Caused by Plaintiff)

22 7. Defendant alleges that any damage or loss sustained by Plaintiff was proximately
23 caused by their own actions or inactions.

24 **EIGTH DEFENSE**

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 15 of 17

1 (Failure to Mitigate)

2 8. Defendants allege that Plaintiff failed to exercise reasonable care to mitigate
3 damages.

4 **NINTH DEFENSE**

5 (Res Judicata and/or Collateral Estoppel)

6 9. Defendants allege that Plaintiff's claims are barred, in whole or in part, on the
7 grounds of *res judicata* and/or collateral estoppel.

8 **TENTH DEFENSE**

9 (Excessive Fines)

10 10. Defendants allege that any claims of Plaintiff seeking damages or penalties are
11 barred, in whole or in part, because the imposition of such damages in this case would violate the
12 due process and excessive fines clauses in violation of the Eighth Amendment to the United
13 States Constitution and Article I, Section 7 of the California Constitution.

14 **ELEVENTH DEFENSE**

15 (Substantial Compliance)

16 11. Defendants allege that any violation or harm was an act or omission made in good
17 faith and Defendants had reasonable grounds for believing that policies and practices complied
18 with applicable laws and that any such act or omission was not an act of fraud or
19 misrepresentation such that there is no entitlement to any damages.

20 **TWELFTH DEFENSE**

21 (Lack of subject-matter jurisdiction; Lack of personal jurisdiction; Improper venue; and

22 Insufficient process)

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 16 of 17

12. Defendants allege that this court lack subject-matter jurisdiction and personal jurisdiction over the Defendants for this action. This court is the improper venue for this action against the Defendants. This action in this court is the insufficient process .

THIRTEENTH DEFENSE

13. Defendants allege Plaintiff are not entitled under applicable law to recover attorneys' fees for some or all of the claims asserted in the Complaint.

ADDITIONAL DEFENSES

14. Defendants reserve its right to amend this Answer and raise any and all other defenses that are discovered during the pendency of this litigation.

PRAYER FOR RELIEF

WHEREFORE, Defendants pray that:

1. Plaintiff's Complaint be dismissed in its entirety with prejudice and that Plaintiff take nothing by virtue of this action;

2. Judgement be entered in Defendants' favor;

3. Defendants be awarded attorneys' fees and costs of suit incurred herein; and

4. Defendants be awarded such other and further relief as the Court deems just and

proper.

Dated: July 6, 2023

Respectfully submitted:

Christopher Ellison
CHRISTOPHER ELLISON
Attorney for Defendants

Case 2:23-ap-01165-VZ Doc 25 Filed 07/19/23 Entered 07/19/23 08:04:32 Desc
Main Document Page 17 of 17

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the State of California, County of Los Angeles. I am over the age of
4 eighteen and am not a party to the within action; my business address is 8117 W. Manchester Ave
Playa Del Rey, CA 90293

5 On July 7, 2023, I served the foregoing document described as: **DEFENDANTS' ANSWER TO**
6 **COMPLAINT**, on the Defendant in this action by transmitting [] the original [X] a true copy
thereof as follows:

7 Steven F. Werth, Esq.
8 GREENSPOON MARDER LLP
Stevn.werth@gmlaw.com

9 HONORABLE JUDGE VINCENT ZURZOLO
10 Chambers_VZurzolo@cacb.uscourts.gov

11 [X] **(BY E-MAIL)** I hereby certify that this document was served by e-mail delivery on the
parties listed herein at their most recent e-mail of record in this action on -----
12 from Los Angeles, California.

13 [] **(BY FAX)** I hereby certify that this document was served by facsimile delivery on the parties
14 listed herein at their most recent fax number of record in this action on -----
from Los Angeles, California.

15 I declare under penalty of perjury under the laws of the United States of America, that the
16 foregoing is true and correct.

17 Executed this July 7, 2023 at Los Angeles, California.

18
19 Christopher Ellison
20 Type or Print Name

/s/Chris Ellison

21
22
23
24
25
26
27
28
Signature